THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.25344 OF 2005

Dated: 01-12-2005

Between

Arya Kanya Vidyalaya High School, Devideen Bagh, Sultan Bazar, Hyderabad, represented by its Correspondent Somnath Sharma, S/o. P. Devinath, R/o. Hyderabad and others.

...PETITIONERS

AND

Government of Andhra Pradesh, represented by its Secretary, School Education, Secretariat, Saifabad, Hyderabad and others.

...RESPONDENTS

ORDER:

Heard the learned counsel for the petitioners and learned Government Pleader for Education appearing for the respondents.

The petitioners are various educational institutions and running their schools on viable terms. While so, the Government issued orders prescribing certain norms for staffing pattern for the purpose of rationalization of staff under various managements in G.O.Ms.No.103 Education (Ser.V) Department dated 05.08.2005 dealing with the manner and method to absorb surplus teachers from the petitioners' educational institutions. But the respondents without following the guidelines prescribed therein and without making any enquiry with regard to the strength and requirement of the teachers; against the will of the concerned teachers of the petitioners' institutions, the respondents are sending the surplus

teachers to various educational institutions.

Learned Government Pleader appearing for the respondents submits that W.P.No.25132 of 2005, having similar facts and circumstances as the case on hand, was disposed of on 24.11.2005 directing the petitioner therein to prefer an appeal under Section 89 of the Andhra Pradesh Education Act, 1982 (for short 'the Act') before the Commissioner and Director of School Education, narrating its grievances, within a period of one week and status quo shall be maintained.

Having regard to the facts and circumstances of the case, the writ petition is disposed of leaving it open to the petitioners to prefer an appeal under Section 89 of the Act before the second respondent, narrating their grievances, within a period of one week from today. Status quo obtaining as on today shall be maintained for a period of three weeks. The second respondent shall examine the matter and in case, the appeal is not disposed of within a period of two weeks from the date of presentation of the same, he shall pass appropriate orders to protect the interest of the petitioners, till the disposal of the appeal.

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V. ESWARAIAH, J

December 1, 2005

Note: Furnish C.C. of the order by 02.12.2005

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